

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

TETHER AND BITFINEX CRYPTO ASSET
LITIGATION

MEMO ENDORSED

Case No. 19 Civ. 9236 (KPF)

**NOTICE OF WITHDRAWAL OF
AARON LEIBOWITZ AS NAMED
PLAINTIFF AND PROPOSED CLASS
REPRESENTATIVE**

Plaintiffs Matthew Script, Aaron Leibowitz, Benjamin Leibowitz, Jason Leibowitz, and Pinchas Goldshtein, by and through their undersigned counsel, hereby file this Notice of Withdrawal of Aaron Leibowitz as a Named Plaintiff and Proposed Class Representative in the above-captioned case and state:

1. Aaron Leibowitz no longer seeks to serve as a named plaintiff or proposed class representative.
2. Aaron Leibowitz wishes to participate as an absent class member.
3. Pursuant to the Court's February 17, 2023 Amended Civil Case Management Plan and Scheduling Order, the Motion for Class Certification is currently due to be filed on August 22, 2023. ECF No. 298 ¶ 5(i).
4. This withdrawal is without prejudice to Aaron Leibowitz's rights, including as an absent class member and any right to file a claim against any fund arising out of any recovery.
5. Aaron Leibowitz's withdrawal does not affect the claims of the proposed class or the remaining named plaintiffs in the above litigation. The proposed class will suffer no prejudice from Aaron Leibowitz's withdrawal as a named plaintiff and proposed class representative because the remaining four named plaintiffs will adequately represent the interests of the class, and because Aaron Leibowitz's withdrawal in no way affects their rights or the rights of the proposed class.

Dated: March 15, 2023

Respectfully submitted,

/s/ Todd M. Schneider

Todd M. Schneider (*pro hac vice*)
Matthew S. Weiler (*pro hac vice*)
Mahzad K. Hite (*pro hac vice*)
SCHNEIDER WALLACE COTTRELL
KONECKY LLP
2000 Powell Street, Suite 1400
Emeryville, CA 94608
tschneider@schneiderwallace.com
mweiler@schneiderwallace.com
mhite@schneiderwallace.com

/s/ Caitlin Halligan

Philippe Z. Selendy
Caitlin Halligan
Andrew R. Dunlap
SELENDY GAY ELSBERG PLLC
1290 Avenue of the Americas
New York, NY 10104
pselendy@selendygay.com
challigan@selendygay.com
adunlap@selendygay.com

*Interim Lead Counsel and Attorneys for the
Plaintiffs and the Proposed Class*

Application GRANTED.

Dated: March 17, 2023
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE